



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON DC 20370-5100

WMP  
Docket No: 3355-02  
11 December 2002

[REDACTED]

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10 of the United States Code section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 11 December 2002. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Navy on 13 November 1996 for four years at age 18. The record reflects that you served without incident until 18 June 1997, when you received nonjudicial punishment (NJP) for failure to obey a lawful order. The punishment imposed was 60 days of restriction. The record further shows that you received alcohol rehabilitation treatment in July 1997, and were counseled and warned concerning your alcohol abuse as a minor and the consequences of further alcohol involvement.

The record reflects that on 5 August 1998 you received NJP for failure to obey a lawful order and adultery. The punishment imposed was a reduction to paygrade E-2, 45 days of restriction and extra duty, and forfeitures of \$519 per month for two

months. The forfeitures, extra duty and restriction were suspended for a period of six months.

On 5 August 1998, you were notified that separation action was being initiated by reason of alcohol rehabilitation failure. You were advised of and waived all of your procedural rights.

On 13 August 1998, you received an honorable discharge by reason of alcohol rehabilitation failure and were assigned an RE-4 reenlistment code.

In its review of your application the Board carefully weighed all potentially mitigating factors such as your age and immaturity. However, the Board concluded that your honorable discharge for alcohol rehabilitation failure was appropriate, as was the assignment of a RE-4 reenlistment code, which is required by regulation when an individual is discharged for alcohol rehabilitation failure. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER  
Executive Director